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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 **DUSTIN GAJ, Derivatively on Behalf of** )  
9 **WYNN RESORTS, LIMITED,** )

10 **Plaintiffs,** )

11 **vs.** )

12 **MARC D. SCHORR, et al.** )

13 **Defendants.** )  
14 \_\_\_\_\_ )

**Case No : 2:19-CV-00505-KJD (CWH)**

**STIPULATION REGARDING  
ACCEPTANCE OF SERVICE  
BY MARC D. SCHORR**

15 COME NOW, defendant Marc D. Schorr ("Schorr"), by and through his counsel of record David  
16 Z. Chesnoff, Esq., and Richard A. Schonfeld, Esq. of the law firm CHESNOFF & SCHONFELD, and  
17 plaintiff Dustin Gaj ("Plaintiff") by and through his counsel Ashley Rifkin, Esq., of the law firm  
18 ROBBINS ARROYO LLP, and hereby Stipulate and agree as follows:

- 19 1. On June 24, 2019, Plaintiff sent to defendant Schorr's counsel a Request to Waive Summons.  
20 By operation of law, if executed, that would give defendant Schorr sixty (60) days (until August  
21 23, 2019) to file a motion or answer in response to the Complaint;
- 22 2. Prior to June 24, 2019, several other defendants had filed motions to dismiss the complaint  
23 ("Motions"), as well as joinders in other Motions;
- 24 3. Given that defendant Schorr will be entering the case after those Motions have been filed, and  
25 will have until August 23, 2019, to file a motion to dismiss or an answer, he has expressed a  
26 concern regarding the ability to join in the Motions that have already been filed or motions that  
27 are filed prior to his deadline of August 23, 2019. Accordingly, Plaintiff and defendant Schorr  
28

1 are stipulating that if defendant Schorr, through his counsel, waives service by executing the  
2 waiver of service that was provided to him, then defendant Schorr will have until August 23,  
3 2019, to join any motion that has already been filed or any motion filed hereafter prior to August  
4 23, 2019, provided that said motion(s) have not yet been ruled on. Defendant Schorr will also  
5 have the ability to file a substantive motion to dismiss or an answer to the complaint up to and  
6 including August 23, 2019. Any joinder filed in accordance with this Stipulation will be  
7 deemed to have been timely filed.

8 IT IS SO STIPULATED.

9 Dated this 10<sup>th</sup> day of July, 2019.

10 RESPECTFULLY SUBMITTED:

11 CHESNOFF & SCHONFELD

12  
13 /s/ David Z. Chesnoff  
14 DAVID Z. CHESNOFF, ESQ.  
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RESPECTFULLY SUBMITTED

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21 /s/ Ashley Rifkin  
22 ASHLEY RIFKIN, ESQ.  
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26 Attorney for Plaintiff

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27 /s/ John P. Aldrich  
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Local Counsel for Plaintiff

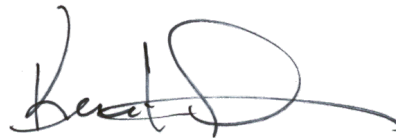
**ORDER**

Having Come before the Court for consideration of defendant Schorr's Stipulation with Plaintiff, and good cause appearing, the Court hereby Orders:

The Stipulation of the parties is granted. Upon execution of the waiver of service of summons by counsel for defendant Schorr, defendant Schorr shall have until August 23, 2019, to join any motion that has already been filed or any motion that filed hereafter prior to August 23, 2019, provided that said motion(s) have not yet been ruled on. Said joinders will be deemed timely. Defendant Schorr will also have the ability to file a substantive motion to dismiss or an answer to the complaint up to and including August 23, 2019.

**IT IS SO ORDERED.**

This 15th day of July, 2019.



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HONORABLE KENT J. DAWSON  
UNITED STATES DISTRICT COURT JUDGE